

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

**In re:**

Master File No. 08-md-01892-DSD/JJG

**KFC CORP. FAIR LABOR  
STANDARDS ACT LITIGATION**

This Document Relates to: All Cases

---

**AMENDED ORDER GRANTING KFC CORPORATION'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT RE: WILLFULNESS**

---

Defendant KFC Corporation's ("KFC") Motion For Partial Summary Judgment Re: Willfulness came on for hearing before this Court on September 2, 2008. After full consideration of the submissions of each party and the argument of counsel, the Court rules as follows:

(1) KFC relied in good faith and reasonably on the advice of its outside counsel in classifying its assistant managers as employees exempt from the overtime requirements of the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. §§ 201 et seq. (the "FLSA") and the Minnesota Fair Labor Standards Act ("MFLSA").

(2) KFC did not willfully violate the FLSA or the MFLSA.

(3) The applicable statute of limitations for all plaintiffs asserting claims under the FLSA and the MFLSA is two years.

(4) The FLSA claims of the plaintiffs listed in the attached Exhibit A are hereby dismissed with prejudice.

(5) All claims of the plaintiffs listed on attached Exhibit B are hereby dismissed with prejudice.

IT IS SO ORDERED.

Dated: September 15, 2008

s/David S. Doty  
Hon. David S. Doty  
Judge, United States District Court